

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DOLLY JEAN PERRYMAN, an  
individual,

Plaintiff,

-vs-

ZYGMUNT POMIOTLO, an  
individual, and BUDRECK TRUCK  
LINES, LLC, an Illinois limited  
liability company,

Defendants.

Case No. CIV-24-364-F

**ORDER**

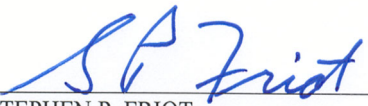
The court is in receipt of Defendant Budreck Truck Lines, LLC's Notice of Removal, filed April 10, 2024. Doc. no. 1. Upon cursory review, it appears this action, originally commenced in the District Court of Mayes County, State of Oklahoma, was mistakenly removed to this district rather than the Northern District of Oklahoma. Indeed, the caption and body of the Notice of Removal references the Northern District of Oklahoma.

Because Mayes County lies within the Northern District of Oklahoma, 28 U.S.C. § 116, and the allegations of the Notice of Removal and the Petition indicate that venue properly lies in the Northern District of Oklahoma rather than in this district, the court concludes that it is in the interest of justice to transfer this action to the Northern District of Oklahoma. 28 U.S.C. § 1406(a) ("The district court of a district in which is filed a case laying venue in the wrong division or district shall

dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.”).

Accordingly, the above-entitled action is **TRANSFERRED** to the United States District Court for the Northern District of Oklahoma pursuant to 28 U.S.C. § 1406(a).

DATED this 11<sup>th</sup> day of April, 2024.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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